

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 16785 of Francis J. Bundu, pursuant to 11 DCMR § 3103.2 for a variance from the parking requirements of § 2102 to allow the establishment of a “public hall” use in an existing second floor meeting room in a C-3-C district on property located at 39 New York Avenue, N.E. (Lot 18, Square 671).

HEARING DATE: February 12, 2002

DECISION DATE: May 7, 2002

DISMISSAL ORDER

The above-cited application was filed on August 22, 2001. During the February 12, 2002, hearing, the Board asked the applicant to provide additional documentation regarding the intended and existing use(s) of the subject property. In a letter dated March 25, 2002, the applicant requested a postponement of the final decision from April 2, 2002, to May 7, 2002. By letter dated April 9, 2002, the Office of Zoning advised the applicant that the Board had granted its request for a postponement until May 7, 2002. The letter further instructed that the Board would make its decision on the application on that date regardless of whether it received the information it requested. At the May 7, 2002, decision meeting, the record was still not complete with respect to the space occupied by the applicant’s use. Without a clear understanding of the scope of the use of the property, the Board is unable to ascertain the number of parking places required by the Zoning Regulations and the impact that a variance from that requirement will have on the surrounding community. Therefore, the Board cannot reach the merits of the application. In light of the foregoing, it is hereby **ORDERED** that the application is **DISMISSED** without prejudice.

VOTE: 5-0-0 (Anne M. Renshaw, Geoffrey H. Griffis, David M. Levy, Curtis L. Etherly, Jr., and James H. Hannaham, to dismiss).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this Decision and Order.

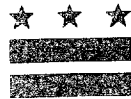
BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: JUL 17 2002

PURSUANT TO 11 DCMR § 3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL. rsn

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



BZA APPLICATION NO. 16785

As Director of the Office of Zoning, I hereby certify and attest that on JUL 17 2002 a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

Francis J. Bundu, President
African Community Center, Inc.
39 New York Avenue, N.E.
Washington, D.C. 20002

Ivette Basterrechea, Chairperson
Advisory Neighborhood Commission 6A
P.O. Box 76680
Washington, D.C. 20002

Daniel M. Pernell, III, Commissioner 6A02
Advisory Neighborhood Commission 6A
P.O. Box 76680
Washington, D.C. 20002

Sharon Ambrose, City Councilmember
Ward Six
1350 Pennsylvania Avenue, N.W.
Suite 102
Washington, D.C. 20004

Denzil Noble, Acting, Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 N. Capitol Street, N.E.
Washington, D.C. 20002

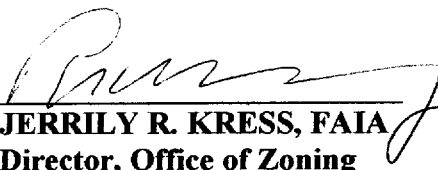
BZA APPLICATION NO. 16785
PAGE 2

Ellen McCarthy, Deputy Director
Office of Planning
801 North Capitol Street, N.E.
4th Floor
Washington, D.C. 20002

Alan Bergstein, Esq.
Office of Corporation Counsel
441 4th Street, N.W., 6th Floor
Washington, D.C. 20001

rsn

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning